

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ra dais deapocalypse bey,

Plaintiff,

v.

SPRINGFIELD DISTRICT COURT, et al.,

Defendants.

Civil Action No. 24-30091-MGM

MEMORANDUM AND ORDER REGARDING
REPORT AND RECOMMENDATION OF DISMISSAL

(Dkt. No. 9)
April 8, 2025

MASTROIANNI, U.S.D.J.

On July 24, 2024, Plaintiff, ra dais deapocalypse bey, filed his complaint and a motion to proceed *in forma pauperis*. (Dkt. Nos. 2, 3.) In his complaint he alleged the Springfield District Court and Judge Kevin Maltby violated his constitutional rights in the course of a hearing concerning a restraining order. The case was randomly assigned to United States Magistrate Judge Katherine Robertson and, on August 19, 2024, she denied his motion for leave to proceed *in forma pauperis*. Plaintiff filed a renewed motion for leave to proceed *in forma pauperis* on September 13, 2024. Judge Robertson granted the renewed motion on February 14, 2025 and simultaneously directed the case be reassigned and recommended the receiving judge dismiss the case for failure to state a claim upon which relief may be granted.

As Judge Robertson explained in her Report and Recommendation of Dismissal (“R&R”), because Plaintiff is proceeding *in forma pauperis*, his complaint is subject to screening. Pursuant to 28 U.S.C. § 1915(e), the complaint must be dismissed if it “fails to state a claim on which relief may be

granted” or “seeks monetary relief against a defendant who is immune from such relief.” 28 U.S.C. § 1915(e)(2)(B)(ii) and (iii). Judge Robertson recommended the Complaint be dismissed because it both fails to state a claim on which relief may be granted and seeks monetary relief from defendants who are immune from such relief. Plaintiff had fourteen days to file any objections. A copy of the R&R was mailed to Plaintiff but was returned to the court as undeliverable on February 24, 2025. Plaintiff has not contacted the court to provide an updated address.

The court has reviewed the R&R, as well as the Complaint and agrees with Judge Robertson’s analysis regarding the deficiencies in the Complaint. For these reasons, and in the absence of any objections, the court hereby ADOPTS Judge Robertson’s R&R (Dkt. No. 9) accordingly, this case is DISMISSED, without prejudice, pursuant to 28 U.S.C. § 1915(e)(2)(B)(2)(ii) and (iii).

It is So Ordered.

/s/ Mark G. Mastroianni
MARK G. MASTROIANNI
United States District Judge